



**PATENT APPLICATION**

In re the Application of

Attn: Mail Stop Missing Parts

Kazuhiko AMANO et al.

Application No.: 10/614,514

Group Art Unit: 3764

Filed: July 8, 2003

Docket No.: 116474

For: EXERCISE LOAD INTENSITY EVALUATION DEVICE AND EXERCISE  
EQUIPMENT

**RESPONSE TO NOTICE UNDER 37 CFR 1.251 - PENDING APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Notice Under 37 CFR 1.251 - Pending Application (copy attached)

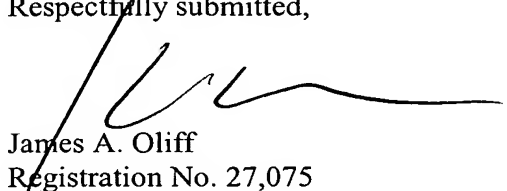
mailed on December 20, 2004, submitted herewith are the following papers:

- 1) Copy of PTO date-stamped filing receipt (01/26/04);
- 2) Copy of Response to Notice to File Missing Parts w/copy of Notice;
- 3) Copy of Executed Declaration (4 pages);
- 4) Copy of Specification (48 pages)/54 claims/Abstract;
- 5) Copy of 20 sheets of Formal Drawings (Figs. 1-22); and
- 6) Copy of Application Data Sheet.

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notice Under 37 CFR 1.251. Examination and allowance of this application in due course are respectfully solicited.

The Commissioner is hereby authorized to charge any fee (or credit any overpayment)  
associated with this communication to Deposit Account No. 15-0461.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Kevin M. McKinley  
Registration No. 43,794

JAO:KMM/jfb

Date: March 21, 2005

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

|   |
|---|
| <p><b>DEPOSIT ACCOUNT USE<br/>AUTHORIZATION</b><br/>Please grant any extension<br/>necessary for entry;<br/>Charge any fee due to our<br/>Deposit Account No. 15-0461</p> |
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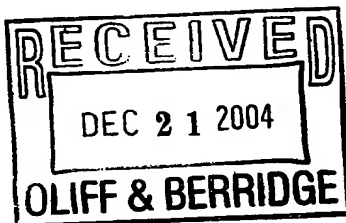
## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 10/614,514      | 07/08/2003  | Kazuhiko Amano       | 116474              | 7624             |

25944 7590 12/20/2004

OLIFF & BERRIDGE, PLC  
P.O. BOX 19928  
ALEXANDRIA, VA 22320



EXAMINER

ART UNIT PAPER NUMBER

DATE MAILED: 12/20/2004

DUE DATE

MAR 20 2005

Please find below and/or attached an Office communication concerning this application or proceeding.

DOCKETED  
By 4/11/05 on 12/21 2004  
and  
By JMM on 12/21 2004  
Oliff & Berridge

COMMISSIONER FOR PATENTS

*The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**NOTICE UNDER 37 CFR 1.251 - Pending Application**

☐ The file of the above-identified application cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search: Applicant Response to Pre-Exam Formalities Notice, Specification, Claim, Abstract, Drawing, Oath, and Application Data Sheet. \_\_\_\_\_ Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is given a period of **THREE (3) MONTHS** from the mailing date of this notice within which to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

Alternatively, applicant may reply to this notice by producing applicant's record (if any) of all of the correspondence between the Office and the applicant for the above-identified application for the Office to copy (except for U.S. patent documents), and provide a statement that the papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), whether applicant is aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records. Such records must be brought to the Customer Service Center in the Office of Initial Patent Examination (Crystal Plaza 2, 2011 South Clark Place, Arlington, VA 22202).

If applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application (or any copy of the paper(s) listed above), applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

**Failure to reply to this notice in a timely manner will result in abandonment of the above-identified application. The three-month period for reply to this notice may be extended (up to a maximum of six months) under the provisions of 37 CFR 1.136(a). However, failure to reply within this three-month period will result in a reduction of any patent term adjustment. See 37 CFR 1.704(b).**

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

Mail Stop: MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

James Murphy

(703) 305 6890

COMMISSIONER FOR PATENTS

FORM PTO-2053-B (REV. 10/03)

Approved for use through 07/31/2006.OMB 0651-0031  
U.S. Patent and Trademark Office; U. S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

In re Application of:

Application No.:

Filing Date:

Title:

Direct to:

Mail Stop MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**NOTICE UNDER 37 CFR 1.251 – Pending Application**

**Statement (check the appropriate box):**

☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☐ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or printed name

**A Copy of this notice should be returned with the reply.**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.**